

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 24, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Larry Hudkins
Ray Stevens

Commissioners Absent: Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 17, 2006.**

MOTION: Workman moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting dated January 17, 2006. Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, January 24, 2006.**

MOTION: Hudkins moved and Stevens seconded approval of all claims processed through January 24, 2006. Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

- 3) **OLD BUSINESS:**

A. A political subdivision tort claim filed against the Lancaster County Corrections Department by Harry Tapp for lost property, in the approximate amount of \$440.

3) **OLD BUSINESS CONTINUED:**

MOTION: Stevens moved and Workman seconded to accept Director's recommendation and deny the political subdivision tort claim filed against the Lancaster County Corrections Department by Harry Tapp for lost property, in the approximate amount of \$440.

The Chair noted that the County Board did receive supplemental information regarding the claim.

ROLL CALL: Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

4) **NEW BUSINESS:**

A. An application for a Special Events Permit from the 2006 Animal Run to hold a fund raiser for a local charity on Saturday, February 4, 2006 beginning at 10 a.m..

MOTION: Stevens moved and Hudkins seconded approval of an application for a Special Events Permit from the 2006 Animal Run to hold a fund raiser for a local charity on Saturday, February 4, 2006 beginning at 10 a.m.. Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

B. A resolution in the matter of setting the annual salary increases for directors, assistant directors, psychiatrists, sheriff captains, bailiffs, the child support referee and attorneys, effective the pay period beginning December 22, 2005. (R-06-0003)

MOTION: Hudkins moved and Stevens seconded approval of Resolution 06-0003 in the matter of setting the annual salary increases for directors, assistant directors, psychiatrists, sheriff captains, bailiffs, the child support referee and attorneys, effective the pay period beginning December 22, 2005. Stevens, Workman, Hudkins and Schorr voted aye. Motion carried.

C. An interlocal agreement with the Lincoln-Lancaster County Railroad Transportation Safety District for the specific phases of the Hickman Viaduct, Project C55-S-401(6). The agreement supercedes the interlocal agreement executed by the County on December 14, 2004, under County Contract No. C-04-0608. The agreement incorporates the new costs and timing of the various phases of the work. The County will be reimbursed for its services estimated at \$5,233,000. (C-06-0020)

4) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Workman seconded approval of an interlocal agreement with the Lincoln-Lancaster County Railroad Transportation Safety District for the specific phases of the Hickman Viaduct, Project C55-S-401(6). Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

D. An agreement with Mainelli Wagner & Associates, Inc. to review shop drawings and to provide construction consultation for Project BRO-7055(101), Waverly North, in Lancaster County. The County will pay 15 percent of \$5,586.06 for the services. (C-06-0021)

MOTION: Workman moved and Stevens seconded approval of an agreement with Mainelli Wagner & Associates, Inc. to review shop drawings and to provide construction consultation for Project BRO-7055(101), Waverly North, in Lancaster County. The County will pay 15 percent of \$5,586.06 for the services. Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

E. An addendum to the financial consulting agreement between the County and Ameritas Investment Corp. executed by the County on January 13, 2004 under County Contract No. C-04-0009. The parties wish to amend the original agreement to redesignate the representative in charge of performance on behalf of Ameritas. (C-06-0022)

MOTION: Stevens moved and Workman seconded approval of an addendum to the financial consulting agreement between the County and Ameritas Investment Corp. executed by the County on January 13, 2004 under County Contract No. C-04-0009. Hudkins, Workman, Stevens and Schorr voted aye. Motion carried.

F. License renewal application through Nebraska Health and Human Services to operate the Community Mental Health Center, Crisis Center. The County will pay \$250 for the license renewal.

MOTION: Hudkins moved and Stevens seconded approval of a license renewal application through Nebraska Health and Human Services to operate the Community Mental Health Center, Crisis Center. Stevens, Workman, Hudkins and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

G. Recommendation from the Purchasing Agent and the Lancaster County Corrections Department to award a Request for Proposal (RFP) for pre-architectural planning services for Corrections to Clark Enersen/Chinn Planning/Carson West Provondra. (B-06-0003)

MOTION: Stevens moved and Hudkins seconded to award a Request for Proposal (RFP) for pre-architectural planning services for Corrections to Clark Enersen/Chinn Planning/Carson West Provondra as recommended by the Purchasing Agent and the Lancaster County Corrections Department. Stevens, Hudkins, Workman and Schorr voted aye. Motion carried.

H. Appointment of Michelle Schindler as the Lancaster County Youth Services Director at an annual salary of \$76,260, effective January 1, 2006.

MOTION: Stevens moved and Hudkins seconded approval of the appointment of Michelle Schindler as the Lancaster County Youth Services Director at an annual salary of \$76,260, effective January 1, 2006.

Schindler thanked the County Board for their confidence in her and her team.

ROLL CALL: Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

I. A request for a refund of personal property taxes from Novartis Consumer Health, Inc. for 2002 through 2004, in the approximate total amount of \$341,817.

Jon Peppmuller, Director of Finance for Novartis Consumer Health, and Mitch Wilson, tax consultant, appeared.

Peppmuller gave a brief explanation regarding the refund request for 2002 through 2004.

Norm Agena, County Assessor/Register of Deeds, requested the item be deferred for one week to allow for review of additional information.

4) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Workman seconded deferral of a request for a refund of personal property taxes from Novartis Consumer Health, Inc. for 2002 through 2004 for one week at the request of the County Assessor/Register of Deeds.

Wilson added that the federal tax return have been audited by the Internal Revenue Services for years 1997 through 2001. He stated the IRS has accepted that the five year life is the correct life for Novartis to be using.

ROLL CALL: Stevens, Workman, Hudkins and Schorr voted aye. Motion carried.

J. A request from Lyle Loth, with ESP, for a continuance of public hearings set for February 7, 2006 regarding County Change of Zone No. 05079 (Agricultural to Agricultural Residential) and County Preliminary Plat No. 05017, Red Cedar Ridge, generally located at South 82nd Street and Roca Road in Lancaster County, Nebraska to Tuesday, February 14, 2006.

MOTION: Stevens moved and Workman seconded approval of a request from Lyle Loth, with ESP, for a continuance of public hearings set for February 7, 2006 regarding County Change of Zone No. 05079 (Agricultural to Agricultural Residential) and County Preliminary Plat No. 05017, Red Cedar Ridge, generally located at South 82nd Street and Roca Road in Lancaster County, Nebraska to Tuesday, February 14, 2006. Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

K. A political subdivision tort claim filed against Corrections by Sean Lyons for lost property, in an unknown amount.

MOTION: Workman moved and Stevens seconded to accept the Director's recommendation and deny a political subdivision tort claim filed against Corrections by Sean Lyons for lost property, in an unknown amount. Stevens, Hudkins, Workman and Schorr voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- L. **Appointment of Oscar Rios Pohirieth, Petra Smith, Melissa A. Dirr, Dwight Brown, Jr., Ryan Dvorak and Sherrie Manning to the Youth Services Advisory Committee for two year terms, beginning January 1, 2006.**

MOTION: Stevens moved and Hudkins seconded approval of an appointment of Oscar Rios Pohirieth, Petra Smith, Melissa A. Dirr, Dwight Brown, Jr., Ryan Dvorak and Sherrie Manning to the Youth Services Advisory Committee for two year terms, beginning January 1, 2006. Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

- M. **Appointment of Brian Stevenson to the Government Access and Information Committee (GAIC) for a two year term to expire December 31, 2007.**

MOTION: Hudkins moved and Stevens seconded approval of the appointment of Brian Stevenson to the Government Access and Information Committee (GAIC) for a two year term to expire December 31, 2007. Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

- 5) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. **Receive and Place on File:**

1. **County Assessor/Register of Deeds Monthly Report for December, 2005.**

B. **Requests from the following individuals to voluntarily participate in the Lancaster County Retirement Plan having met the requirements:**

- ▶ Michael A. Batson, an employee with the Community Mental Health Center
- ▶ Sarah R. Murtagh, an employee with the County Attorney's Office
- ▶ Kelly J. Ward, an employee with the Corrections Department

C. **A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and Donald G. and Jean K. Sugden, in the amount of \$340.50, east of South 176th Street on Firth Road. (C-06-0023)**

5) **CONSENT ITEMS CONTINUED:**

MOTION: Stevens moved and Workman seconded approval of the Consent Items. Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting at 1:53 p.m.. Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 24, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Larry Hudkins
Ray Stevens

Commissioners Absent: Bernie Heier

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 17, 2006.**

MOTION: Workman moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated January 17, 2006. Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 15 additions and deductions to the tax assessment rolls per Attachment "A".

MOTION: Stevens moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Evangelical United Lutheran Church
Fellowship Baptist Church
Nebraska Annual Conference of the United Methodist Church
Salvation Army
Temple Baptist Church
Union College (2 exemption applications)

MOTION: Workman moved and Hudkins seconded approval of the motor vehicle tax exemptions. Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Stevens moved and Workman seconded adjournment of the Board of Equalization meeting at 1:55 p.m.. Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk